



Atty. Docket No. 18623-014100US
Client Ref. No. EPI 0141.00US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Applicant or Patentee: Alessandro Sette, John Sidney, Scott Southwood, Brian D. Livingston, Robert Chesnut, Denise Marie Baker, Esteban Celis, Ralph T. Kubo and Howard M. Grey
Application or Patent No.: 09/412,863
Filed or Issued: October 5, 1999
Title: INDUCING CELLULAR IMMUNE RESPONSES TO HUMAN IMMUNODEFICIENCY VIRUS-1 USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS

I hereby declare that I am:

☐
☒

the owner of the small business concern identified below:
an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Epimmune Inc.
Address of Small Business Concern: 5820 Nancy Ridge Drive
San Diego, CA 92121

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled INDUCING CELLULAR IMMUNE RESPONSES TO HUMAN IMMUNODEFICIENCY VIRUS-1 USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS by inventor(s) Alessandro Sette, John Sidney, Scott Southwood, Brian D. Livingston, Robert Chesnut, Denise Marie Baker, Esteban Celis, Ralph T. Kubo and Howard M. Grey described in:

☐
☒
☐

the specification filed herewith.
Application No. 09/412,863, filed October 5, 1999
Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name _____
Address _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name _____
Address _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Timothy L. Lithgow
Title of Person if Other than Owner: Director, Intellectual Property
Address of Person Signing: Epimmune Inc.
5820 Nancy Ridge Drive, San Diego, CA 92121

Signature [Signature]

Date 11/4/00



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INDUCING CELLULAR IMMUNE RESPONSES TO HUMAN IMMUNODEFICIENCY VIRUS-1 USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS** the specification of which _____ is attached hereto or X was filed on October 5, 1999 as Application No. 09/412,863 and was amended on _____ (if applicable).

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Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

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- 08/159,184	11/29/93	Abandoned
08/073,205	6/4/93	Abandoned
08/027,146	3/5/93	Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Randolph T. Apple, Reg. No. 36,429
Kevin L. Bastian, Reg. No. 34,774
Guy Chambers, Reg. No. 30,617
Karen B. Dow, Reg. No. 29,684
M. Henry Heines, Reg. No. 28,219
Laurence J. Hyman, Reg. No. 35,551
Jeffrey J. King, Reg. No. 38,515

Joe Liebeschuetz, Reg. No. 37,505
Jeffry S. Mann, Reg. No. 42,837
Annette S. Parent, Reg. No. 42,058
Steven W. Parmelee, Reg. No. 31,990
Brian W. Poor, Reg. No. 32,928
Timothy L. Smith, Reg. No. 35,367
William M. Smith, Reg. No. 30,223
Joseph P. Snyder, Reg. No. 39,381
John R. Storella, Reg. No. 32,944
Eugenia Garrett-Wackowski, Reg. No. 37,330
Ellen Lauver Weber, Reg. No. 32,762
Kenneth A. Weber, Reg. No. 31,667
Kathleen Choi, Reg. No. 43,433
Jean M. Lockyer, Reg. No. P-44,879

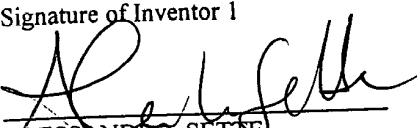
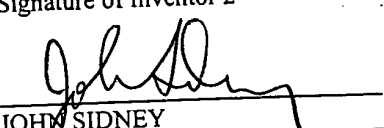
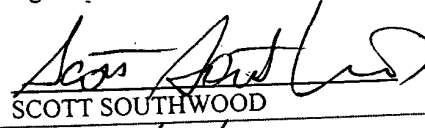
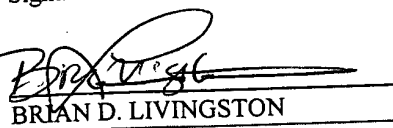
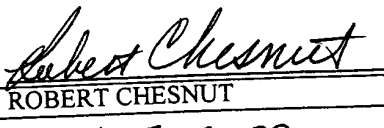
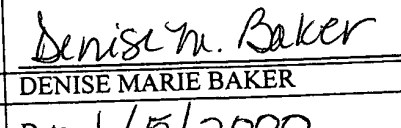
Epimmune Inc.
Timothy J. Lithgow, M.D., J.D.
Reg. No. 36,856

Send Correspondence to: Jean M. Lockyer TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Jean M. Lockyer Reg. No.: P-44,879 Telephone: 415-576-0200
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Full Name of Inventor 1:	Last Name: SETTE	First Name: ALESSANDRO	Middle Name or Initial:	
Residence & Citizenship:	City: La Jolla	State/Foreign Country: California	Country of Citizenship: Italy	
Post Office Address:	Post Office Address: 5551 Linda Rosa Avenue	City: La Jolla	State/Country: California	Postal Code: 92037
Full Name of Inventor 2:	Last Name: SIDNEY	First Name: JOHN	Middle Name or Initial:	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 4218 Corte de la Siena	City: San Diego	State/Country: California	Postal Code: 92130
Full Name of Inventor 3:	Last Name: SOUTHWOOD	First Name: SCOTT	Middle Name or Initial:	
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Full Name of Inventor 4:	Last Name: LIVINGSTON	First Name: BRIAN	Middle Name or Initial: D.	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 13555 Chaco Court	City: San Diego	State/Country: California	Postal Code: 92129

Full Name of Inventor 5:	Last Name: CHESNUT	First Name: ROBERT	Middle Name or Initial:	
Residence & Citizenship:	City: Cardiff-by-the-Sea	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 1473 Kings Cross Drive	City: Cardiff-by-the-Sea	State/Country: California	Postal Code: 92007
Full Name of Inventor 6:	Last Name: BAKER	First Name: DENISE	Middle Name or Initial: MARIE	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 11575 Caminito LaBar #21	City: San Diego	State/Country: California	Postal Code: 92126
Full Name of Inventor 7:	Last Name: CELIS	First Name: ESTEBAN	Middle Name or Initial:	
Residence & Citizenship:	City: Rochester	State/Foreign Country: Minnesota	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 3683 Wright Road S.W.	City: Rochester	State/Country: Minnesota	Postal Code: 55902
Full Name of Inventor 8:	Last Name: KUBO	First Name: RALPH	Middle Name or Initial: T.	
Residence & Citizenship:	City: Carlsbad	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 6921 Pear Tree Drive	City: Carlsbad	State/Country: California	Postal Code: 92009
Full Name of Inventor 9:	Last Name: GREY	First Name: HOWARD	Middle Name or Initial: M.	
Residence & Citizenship:	City: La Jolla	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 1461 Caminito Batea	City: La Jolla	State/Country: California	Postal Code: 92037

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  ALESSANDRO SETTE	Signature of Inventor 2  JOHN SIDNEY	Signature of Inventor 3  SCOTT SOUTHWOOD
Date 1/5/00	Date 1/5/00	Date 1/5/00
Signature of Inventor 4  BRIAN D. LIVINGSTON	Signature of Inventor 5  ROBERT CHESNUT	Signature of Inventor 6  DENISE MARIE BAKER
Date 1/5/00	Date 1-5-2000	Date 1/5/2000

Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
ESTEBAN CELIS	RALPH T. KUBO	HOWARD M. GREY
Date	Date	Date

SF #1032646 v1



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

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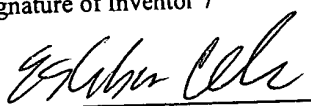
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Full Name of Inventor 1:	Last Name: SETTE	First Name: ALESSANDRO	Middle Name or Initial:	
Residence & Citizenship:	City: La Jolla	State/Foreign Country: California	Country of Citizenship: Italy	
Post Office Address:	Post Office Address: 5551 Linda Rosa Avenue	City: La Jolla	State/Country: California	Postal Code: 92037
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Full Name of Inventor 6:	Last Name: BAKER	First Name: DENISE	Middle Name or Initial: MARIE	
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Residence & Citizenship:	City: Carlsbad	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 6921 Pear Tree Drive	City: Carlsbad	State/Country: California	Postal Code: 92009
Full Name of Inventor 9:	Last Name: GREY	First Name: HOWARD	Middle Name or Initial: M.	
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ALESSANDRO SETTE	JOHN SIDNEY	SCOTT SOUTHWOOD
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
BRIAN D. LIVINGSTON	ROBERT CHESNUT	DENISE MARIE BAKER
Date	Date	Date

Signature of Inventor 7 	Signature of Inventor 8	Signature of Inventor 9
ESTEBAN CELIS	RALPH T. KUBO	HOWARD M. GREY
Date	Date	Date

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#3
Attorney Docket No.: 18623-014100US
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Epimmune Inc.
Timothy J. Lithgow, M.D., J.D.
Reg. No. 36,856


Send Correspondence to: Jean M. Lockyer TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Jean M. Lockyer Reg. No.: P-44,879 Telephone: 415-576-0200
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Full Name of Inventor 1:	Last Name: SETTE	First Name: ALESSANDRO	Middle Name or Initial:	
Residence & Citizenship:	City: La Jolla	State/Foreign Country: California	Country of Citizenship: Italy	
Post Office Address:	Post Office Address: 5551 Linda Rosa Avenue	City: La Jolla	State/Country: California	Postal Code: 92037
Full Name of Inventor 2:	Last Name: SIDNEY	First Name: JOHN	Middle Name or Initial:	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 4218 Corte de la Siena	City: San Diego	State/Country: California	Postal Code: 92130
Full Name of Inventor 3:	Last Name: SOUTHWOOD	First Name: SCOTT	Middle Name or Initial:	
Residence & Citizenship:	City: Santee	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 10679 Strathmore Drive	City: Santee	State/Country: California	Postal Code: 92071
Full Name of Inventor 4:	Last Name: LIVINGSTON	First Name: BRIAN	Middle Name or Initial: D.	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
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Full Name of Inventor 5:	Last Name: CHESNUT	First Name: ROBERT	Middle Name or Initial:	
Residence & Citizenship:	City: Cardiff-by-the-Sea	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 1473 Kings Cross Drive	City: Cardiff-by-the-Sea	State/Country: California	Postal Code: 92007
Full Name of Inventor 6:	Last Name: BAKER	First Name: DENISE	Middle Name or Initial: MARIE	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 11575 Caminito LaBar #21	City: San Diego	State/Country: California	Postal Code: 92126
Full Name of Inventor 7:	Last Name: CELIS	First Name: ESTEBAN	Middle Name or Initial:	
Residence & Citizenship:	City: Rochester	State/Foreign Country: Minnesota	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 3683 Wright Road S.W.	City: Rochester	State/Country: Minnesota	Postal Code: 55902
Full Name of Inventor 8:	Last Name: KUBO	First Name: RALPH	Middle Name or Initial: T.	
Residence & Citizenship:	City: Carlsbad	State/Foreign Country: California	Country of Citizenship: United States	
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Full Name of Inventor 9:	Last Name: GREY	First Name: HOWARD	Middle Name or Initial: M.	
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
<u>ALESSANDRO SETTE</u>	<u>JOHN SIDNEY</u>	<u>SCOTT SOUTHWOOD</u>
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
<u>BRIAN D. LIVINGSTON</u>	<u>ROBERT CHESNUT</u>	<u>DENISE MARIE BAKER</u>
Date	Date	Date

Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
		
ESTEBAN CELIS	RALPH T. KUBO	HOWARD M. GREY
Date	Date 12/21/99	Date

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#3
Attorney Docket No.: 18623-014100US
Client Reference No.: EPI 0141.00US

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INDUCING CELLULAR IMMUNE RESPONSES TO HUMAN IMMUNODEFICIENCY VIRUS-1 USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS** the specification of which _____ is attached hereto or X was filed on October 5, 1999 as Application No. 09/412,863 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/189,702	11/10/98	Pending
08/205,713	3/4/94	Pending
08/159,184	11/29/93	Abandoned
08/073,205	6/4/93	Abandoned
08/027,146	3/5/93	Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
<u>ALESSANDRO SETTE</u>	<u>JOHN SIDNEY</u>	<u>SCOTT SOUTHWOOD</u>
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Date	Date	Date

Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
ESTEBAN CELIS	RALPH T. KUBO	HOWARD M. GREY
Date	Date	Date 12/27/99

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